

CITY OF BAYONNE CITY COUNCIL REGULAR MEETING JANUARY 18, 2023

ORDINANCES, COMMUNICATIONS AND ADMINISTRATION REQUESTS FOR COUNCIL MEETING AGENDA

ORDINANCES SCHEDULED FOR HEARING

- O-1 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 10, TAXATION AND SPECIAL IMPROVEMENT **(Amending Section 10-3.3, Urban Enterprise Zone-composition of the Board of Trustees and staff) Bus. Admin.**
- O-2 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN TITLED “REDEVELOPMENT PLAN, 69-73 LEFANTE WAY ALSO KNOWN AS BLOCK 412, LOT 3 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. **(Link former Seahorse)**
- O-3 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING A FINANCIAL AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 7 HOOK ROAD URBAN RENEWAL, LLC
- O-4 AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF BAYONNE AND 7 HOOK ROAD URBAN RENEWAL, LLC. **Law**
- O-5 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 2, ADMINISTRATION.
- O-6 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC. **(Restrictive Parking Zones-Relocating-1) Public Safety**

PUBLIC COMMENTS

Speakers are to sign the signup sheet prior to the meeting.

ORDINANCES PROPOSED FOR INTRODUCTION

- O-7 AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE CENTRAL CONSTABLE HOOK REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 465, LOT 9; BLOCK 466, LOTS 1, 2, 3 AND 4; AND BLOCK 478, LOTS 1 AND 1.01, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE and a resolution fixing Wednesday, February 15, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage.
- O-8 AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE CITY OF BAYONNE, CHAPTER 7, TRAFFIC, and a resolution fixing Wednesday, February 15, 2023 at 7:00 P.M. and the Dorothy E. Harrington Council Chambers as the time and place for a public hearing and final passage. **(Restrictive Parking Zones-Add-1) Public Safety**

COMMUNICATIONS

- C-1 From the Superior Court of New Jersey in the matter entitled, “THE L GROUP, LLC vs CITY OF BAYONNE ZONING BOARD OF ADJUSTMENT.

OFFICERS’ REPORTS

CONSENT AGENDA - Resolution ordering the following Officers’ Reports to be received and filed and any resolution incorporated within them to be adopted:

- OR-1 From Donna L. Mauer, Chief Financial Officer, reporting on vendor payments and recommending payment of same, and a resolution adopting the recommendation and ordering payment of claims. **Finance**
- OR-2 From the Hon. James M. Davis, Mayor Executive Order No. 1, fixing the salary range for EMERGENCY RESPONSE SPECIALIST. **(Min-125,299-Max-137,079)**
- OR-3 From the Hon. James M. Davis, Mayor reappointing VINCENT LOMBARDO as a Regular Member of the HOUSING AUTHORITY BOARD, term to expire on December 31, 2027.

RESOLUTIONS

CONSENT AGENDA - Resolution ordering the following resolutions to be adopted:

- CR-1 Approving the minutes of the regular meeting held Wednesday December 14, 2022. **City Clerk**
- CR-2 Approving the minutes of the council caucus held Wednesday, December 7, 2022. **City Clerk**
- CR-3 Ordering warrants drawn to taxpayers representing refunds for overpayment of taxes. (5 properties) Tax **Collector**
- CR-4 Authorizing the purchase of 21 Bullet Resistant Vest from ATLANTIC TACTICAL, Somerset, NJ in the of \$28,341.60 for the Police Department. **Public Safety**
- CR-5 Authorizing the Public Safety Director to enter into an agreement with the STATE OF NEW JERSEY to participate in the Law Enforcement Support Office (LESO) Program for a period of one year commencing January 1, 2023. **Public Safety**
- CR-6 Authorizing the Public Safety Director to accept one (1) vehicle for donation from the NEW JERSEY DRUG ENFORCEMENT AGENCY (DEA) to the Police Department. **Public Safety**
- CR-7 Authorizing the Mayor and City Clerk to enter into a Right-of-Way Agreement (ROW) with SKE EQUITIES for purposes of constructing a second ADA complaint entrance ramp that will encroach into the City’s ROW approximately 5’ 7” located at 115-117 West 2nd Street, for an annual fee of \$250.00 payable to the City.
- CR-8 Authorizing the Mayor and City Clerk to enter into a Right-of-Way Agreement (ROW) with William F. Connors, Jr. for purposes of constructing a second story addition over an existing one-story garage that will encroach into the City’s ROW located at 45 East Grand Street, Block 71, Lot 14 and 49-53 East Grand Street, Block 71, Lot 15, for an annual fee of \$500.00 for each Lot payable to the City.
- CR-9 Authorizing submittal of an application to NJ Department of Community Affairs Local Recreation Improvement Grant for \$100,000 for Field of Dreams Project (recreation). **Public Works**
- CR-10 Authorizing the Purchasing Agent to utilize Paper Clips Inc. through Safeco Products State Contract#G2004 for Office Furniture chargeable to the individual departmental account for furniture and furnishings for an amount not to exceed \$60,000.00. **Purchasing**

- CR-11 Authorizing the Purchasing Agent to utilize WB Mason Co. through State Contract#T0052 for office supplies chargeable to the Individual departmental account for office supplies for an amount not to exceed \$85,000.00. **Purchasing**
- CR-12 Authorizing the Purchasing Agent to purchase from Amazon Services LLC, through their Contract #R-TC_17006 utilizing the NATIONAL IPA/OMNIA PARTNERS COOP; City of Bayonne Membership#NIPA15951. Any and all supplies needed should be charged to the individual departmental sub accounts for office supplies, or materials and supplies for an annual amount not to exceed \$70,000.00. **Purchasing**
- CR-13 Authorizing the Purchasing Agent to purchase Office Supplies from Staples Contract & Commercial LLC aka Staples Inc. through the Sourcewell Contract#012320. The City of Bayonne is a member of the Sourcewell COOP Account#27851 chargeable to the individual departmental sub account for office supplies for an amount not to exceed \$70,000.00. **Purchasing**
- CR-14 Authorizing payments to the HUDSON COUNTY IMPROVEMENT AUTHORITY for solid waste disposal services for a period of one year commencing January 1, 2023 through December 31, 2023 for an estimated amount not to exceed \$4,200,000 for solid waste disposal and tipping fees. Chargeable to Account No. 3-01-33-464-0000-029. **Public Works**
- CR-15 Authorizing the purchase of parts and supplies for use on various City vehicles from M & R MILLER AUTO GEAR for period of one year commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$42,500. Chargeable to Account No. 3-01-26-315-0000-030. **Public Works**
- CR-16 Authorizing payment in the amount of \$20,046.00 to the STATE OF NEW JERSEY for State Surcharge fees on new construction and alterations. Chargeable to Account No. 12-286-56-312-1-199. **Building**
- CR-17 Amending Agreement No. CY22-027 with ANTHONY SUAREZ, ESQ., Rent Control Attorney to cover invoices for additional legal fees incurred by ordinance revisions and litigation in the amount of \$35,211.67 making the total 2022 contract not to exceed \$50,211.67. Chargeable to Account No. 2-01-20-100-0000-028
- CR-18 Accepting a grant from the Hudson County Department of Health & Human Services in the amount of \$60,991.00 with matching funds in the amount of \$15,247.75 for OLDER AMERICAN ACT OF 1965 PROGRAM.
- CR-19 Accepting a grant from the Hudson County Department of Health & Human Services in the amount of \$61,268.00 with matching funds in the amount of \$15,317.00 for administration and execution of the Congregate Meals Program.
- CR-20 Rescinding Resolution No. 22-10-19-034 authorizing an amendment to Agreement No CY19-078 between the City of Bayonne and Standard Elevator, Clifton, NJ extending same for a two (2) year period commencing November 1, 2022 through October 31, 2024 due to the fact that Standard Elevator no longer exists as a business entity.
- CR-21 Approving the UEZ Administrative Plan for CY 2023.
- CR-22 Approving the UEZ Façade & Signage Program and authorizing the UEZ Coordinator to implement this program with funding up to \$140,000.00 pursuant to the guidelines set forth State of New Jersey.
- CR-23 Approving the UEZ Beautification Program and authorizing the UEZ Coordinator to implement this program with funding up to \$
- CR-24 Amending Resolution #22-02-16-069 awarding a contract to RACHELS/MICHELE'S OIL CO. for unleaded fuel invoices for CY2022, increasing said contract by \$83,710.79 making total contract amount not to exceed \$483,710.79.

- CR-25 Amending Resolution #22-02-16-068 awarding a contract to RACHELS/MICHELE'S OIL CO, for diesel fuel invoices for CY2022, increasing said contract by \$44,932.70, making total contract amount not to exceed \$244,932.70
- CR-26 Authorizing the BAYONNE ECONOMIC OPPORTUNITY FOUNDATION to administer the Senior Nutrition Program commencing January 1, 2023 through December 31, 2023.
- CR-27 Authorizing the Mayor and City Clerk to enter into a contract with AIR RATE EQUIPMENT for the supplies and repair services for city owned Snow Plows for the contract amount of \$18,918.81 under State Contract #T108.
- CR-28 Granting 3 Raffle licenses to qualified organizations. **City Clerk**

END OF CONSENT AGENDA

- R-1 Adopting the CY2023 CASH MANAGEMENT PLAN. **Finance**
- R-2 Authorizing the Purchasing Agent to execute any and all documents and take any and all actions necessary to effectuate the procurement of a Caterpillar Emergency Generator for use in City Hall and the installation thereof from FOLEY POWER SYSTEMS, INC., Piscataway, NJ that was originally authorized via Resolution 21-09-22-063 for the amount of \$623,493.00 for the increased amount of \$798,533.00 pursuant to a Change Order Proposal dated January 4, 2023 from Foley Power Systems through the Cooperative Pricing Agreement No. 65MCESCCPS. **Public Works**
- R-3 Approving the filing of a Notice in Lieu Deed Notice for a section of Avenue J located perpendicularly between East 22nd Street and New Hook Road, acknowledging the Use Restrictions on the Property and Obligation Imposed on the City and authorizing the execution of the Notice In Lieu of Deed Notice. **Law**
- R-4 Authorizing the Municipal Council to execute agreements permitting the NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY to access City owned property and conduct site investigation activities on properties that are the subject of Brownfield Development Grants. **Law**
- R-5 Approving Emergency Temporary Budget #1 for CY2023 Municipal Budget
- R-6 Authorizing Budgetary Transfer #3 in the CY 2022 budget. **Finance**
- R-7 Authorizing the Mayor and City Clerk to enter into a Licensing Agreement with WHITE GLOVE MOVING AND STORAGE, INC., for parking at West 2nd Street for fee of \$20,000.00 monthly for a period of one year commencing January 1 2023 through December 31, 2023.
- R-8 Authorizing the Mayor and City Clerk to enter into an agreement with CME ASSOCIATES, Parlin, NJ for professional engineering services as In-house Engineer in connection with Developers and Redevelopers for the period commencing January 1, 2023 and ending December 31, 2023 for an amount not to exceed \$75,000.00 pursuant to the Fair and Open process. Notice of its award will be published. **Law**
- R-9 Authorizing the Mayor and City Clerk to enter into an agreement with CME ASSOCIATES, Parlin, NJ for professional engineering services as In-house Engineer in connection with for professional engineering services to act as In-house Engineer in connection with Developers and Redevelopers for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$ pursuant to the Fair and Open Process.
- R-10 Authorizing the Mayor and City Clerk to enter into an agreement with MATRIX NEW WORLD ENGINEERING, Florham Park, NJ contract for professional engineering services to act as Special Project Engineer in connection with Developers and Redevelopers for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$300,000.00 payable from various developers and redevelopers escrow accounts and pursuant to the Fair and Open Process.

- R-11 Authorizing the Mayor and City Clerk to enter into an agreement with MATRIX NEW WORLD ENGINEERING, Florham Park, NJ for professional engineering services to act as Special Project Engineer on behalf of the City for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$400,000.00 pursuant to the Fair and Open Process
- R-12 Authorizing the Mayor and City Clerk to enter into an agreement with CIVIL SOLUTIONS, a division of ARH Associates for Professional Engineering Services in connection with the maintenance of the of the City of Bayonne's Digital Tax Map for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$24,500.00 pursuant to the Fair and Open Process. **Law**
- R-13 Authorizing the Mayor and City Clerk to enter into an agreement with RELIABLE PAPER RECYCLING, Jersey City, NJ for the receipt of the City's Recycling Commodity, Mixed Paper only, for the period one year commencing January 1, 2022 through December 31, 2022 pursuant to the Non-fair and Open Process.
- R-14 Authorizing the Mayor and City Clerk to enter into an agreement with SIMS MUNICIPAL RECYCLING, Jersey City, NJ for the receipt of the City's Recycling Comingled which includes glass, metal cans and plastics, for the period one year commencing January 1, 2022 through December 31, 2022 pursuant to the Non-fair and Open Process.
- R-15 Authorizing the Mayor and City Clerk to enter into an agreement with TRIAD ADVISORY SERVICES for Consulting Services relating to planning and implementation of the City's Community Development Block Grant (CDBG) for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$45,600.00 pursuant to the Fair and Open Process.
- R-16 Authorizing the Mayor and City Clerk to enter into an agreement with BAYONNE ECONOMIC OPPORTUNITY FOUNDATION for Administration Services relating the City's Community Development Block Grant (CDBG) Program for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$220,000.00 pursuant to the Fair and Open Process.
- R-17 Authorizing the Mayor and City Clerk to enter into an agreement with JOHN PAVLOVICH, P.E., River Edge, NJ for Professional Engineering Services to act as Municipal Traffic Engineer in connection with Developers and Redevelopers for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$50,000.00 pursuant to the Fair and Open Process.
- R-18 Authorizing the Mayor and City Clerk to enter into an agreement with TIMOTHY J. MORIARTY, ESQ for Chief Municipal Prosecutor for an amount OF \$300 per municipal court session for a total amount not to exceed \$59,700.00 for municipal court sessions and STEVEN R. HUMMELL, ESQ Alternate Municipal Prosecutor for an amount of \$300.00 per municipal court session for an amount not to exceed \$23,700.00 for municipal court sessions and, in the event of municipal appeals requiring Superior Court appearance, at an additional rate of \$75.00 per hour for a maximum of \$1,000.00 per appeal for a total combined amount not to exceed \$88,400.00 (\$83,400.00 for municipal court sessions and not to exceed \$5,000 for municipal court appeals requiring Superior Court appearances) both for a one (1) year period commencing January 1, 2023 through December 31, 2023 pursuant to the Fair and Open Process.
- R-19 Appointing TIMOTHY J. MORIARTY, ESQ., and STEVEN R. HUMMELL, ESQ., as Chief Municipal Prosecutor and Alternate Municipal Prosecutor, respectively and Assistant City Attorneys, Karla Garcia, Esq., Jessica H. Connors, Esq., and Law Director John F. Coffey II Esq., Alternate Municipal Prosecutors for the City of Bayonne Municipal Court for the period commencing January 1, 2023 and ending December 31, 2023
- R-20 Authorizing the Mayor and City Clerk to enter into an agreement with CLARKE CATON HINTZ, PC for Professional Planning Services to act as the City's Town Planning Consultant for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$ pursuant to the Fair and Open Process. **Law**

- R-21 Authorizing the Mayor and City Clerk to enter into an agreement with CLARKE CATON HINTZ, PC for Professional Planning Services as Council on Affordable Housing (COAH) for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$ 36,000.00 pursuant to the Fair and Open Process. **Law**
- R-22 Authorizing the Mayor and City Clerk to enter into an agreement with NW FINANCIAL GROUP, LLC for Financial Advisory Services for the period commencing January 1, 2023 through December 31, 2023 for an amount not to exceed \$75,000.00 pursuant to the Fair and Open Process. **Law**

TO BE ADDED AT THE MEETING

- ADD-1 From the Hon. James M. Davis, Mayor appointing SEAN KEMP AND CAMILLE BURGOS as Regular Members to the RENT CONTROL BOARD, terms to expire January 31, 2026 and a resolution consenting said appointments.